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# UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

## Protection of Palestine refugees

## Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 46/46 I of 9 December 1991, entitled "Protection of Palestine refugees", the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

"2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

"3. Strongly urges the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the reports of the Secretary-General dated 21 January 1988, 31 October 1990 and 9 April 1991;

"4. Urges the Secretary-General and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue their efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation since 1967;

"5. Calls once again upon Israel to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon, in violation of the Charter of the United Nations and the norms of international law;

"6. Demands that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

"7. Calls once again upon Israel to compensate the Agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the responsibility of the latter for all damages resulting from that invasion, as well as for other damages resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

"8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-seventh session, on the implementation of the present resolution."

2. On 18 March 1992, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 30 June 1992, the Permanent Representative of Israel replied as follows:

"Israel's position on this resolution was fully set forth in statements by Israel's representative to the Special Political Committee on 15 November 1985 (A/SPC/41/SR.14), and in the report of the Secretary-General (A/46/539).

"The adoption of resolution 46/46 I entitled 'Protection of Palestinian refugees' is clearly hypocritical, anachronistic and out of place. Despite Israel's withdrawal from Lebanon in 1985, this resolution still blames Israel for the 'suffering' of the Palestinian Arabs in Lebanon. Not surprisingly, the sponsors of this resolution continue to blame Israel for Arab persecution of Palestinian refugees.

"In recent years, thousands of Palestinians have been killed and wounded in Lebanese refugee camps in vicious fighting totally unconnected with Israel. Likewise, Palestinian refugee camps in Syria and Jordan have been the scenes of considerable human misery which the authors of resolution 46/46 I choose to ignore.

"This selective and distorted presentation of the Palestinian refugees' situation in Arab countries by the sponsors of resolution 46/46 I clearly illustrates the double standards inherent in this resolution and the blatant disregard for the general welfare of the Palestinian refugees.

"In the context of the operative part of this resolution, it should be emphasized that, in keeping with international law, Israel alone is competent to ensure full protection to all the inhabitants of Judea, Samaria and the Gaza District."

4. As set out in his annual report for the period 1 July 1991 to 30 June 1992, 1/ the Commissioner-General of UNRWA has continued his efforts, with the Secretary-General, in support of the safety and security and the legal and human rights of the Palestine refugees in the occupied territory. In this connection, UNRWA international staff in the occupied territory, in particular Refugee Affairs Officers and Legal Officers, have continued to play an important role in helping to reduce tensions, to prevent maltreatment of the refugees, especially vulnerable groups such as women and children, and to assist the refugees in coping with day-to-day problems of their life under occupation. The Commissioner-General has also protested to the Israeli authorities against excessive use of force, collective punishments, punitive demolitions, sealing of shelters and other such measures, as a failure on the part of the Israeli military authorities to uphold standards required under international humanitarian law. As part of the Commissioner-General's efforts in this regard, advice of a legal nature and a measure of financial assistance has been provided to refugees seeking to assert their legal rights. A fuller description of the efforts of the Commissioner-General in this regard is contained in his annual report 1/ and in the report submitted to the Security Council by the Secretary-General in accordance with resolution 681 (1990). 2/

5. Following the withdrawal of the Israeli forces from the Saida and Tyre areas in February and April 1985 respectively (see A/40/756, para. 5), there is nothing further to state regarding the Palestine refugees in Lebanon in the context of the present report.

6. Section IV.D of the annual report of the Commissioner-General of UNRWA to the General Assembly 1/ reviews the efforts UNRWA has made during the period to continue its programme for the repair of refugee shelters damaged and destroyed during the fighting in Lebanon.

7. There has been no progress on the claim by UNRWA against the Government of Israel regarding damage to its property and facilities resulting from the Israeli invasion of Lebanon in 1982.

## Notes

1/ Official Records of the General Assembly, Forty-Sixth Session, Supplement No. 13 (A/46/13).

2/ S/22472.

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